

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY DEPUTY

CASE UNSEALED PER ORDER OF COURT
SEALED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

February 2012 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABDIAZIZ HUSSEIN,
aka "Abdiaziz Hussen,"
aka "Abdirizak,"

Defendant.

Case No. 13CR1514JM

I N D I C T M E N T

Title 18, U.S.C., Sec. 371 -
Conspiracy; Title 31, U.S.C.,
Sec. 5324(a)(3) and 31 C.F.R.,
Sec. 103.33 - Structuring

The grand jury charges:

Count 1

At various points material to this Indictment:

1. Shidaal Express ("Shidaal") was a money services business (MSB) and domestic financial institution in San Diego, California.

2. Defendant ABDIAZIZ HUSSEIN, aka "Abdiaziz Hussen," aka "Abdirizak," ("HUSSEIN") was Shidaal's manager and responsible for daily operations from 2007 until approximately November 2009.

3. Basaaly Moalin, charged elsewhere, was a resident of San Diego, California, who repeatedly transmitted monies through Shidaal and ABDIAZIZ HUSSEIN, aka "Abdiaziz Hussen," aka "Abdirizak," to persons in Somalia.

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CPH:lml:San Diego
4/22/13

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1 4. "Structuring" refers to breaking up sums of money into
2 smaller amounts to evade currency reporting requirements triggered at
3 certain threshold amounts.

4 5. Title 31, Code of Federal Regulations, Section 103.20 (now
5 codified at Title 31, Code of Federal Regulations, Section 1022.320),
6 required MSBs to file suspicious activity reports for transactions
7 aggregating \$2,000 or more if the MSB had reason to suspect the
8 transactions were designed, through structuring or other means, to
9 evade regulations promulgated under the Bank Secrecy Act.

10 6. Title 31, Code of Federal Regulations, Section 103.33 (now
11 codified at Title 31, Code of Federal Regulations, Section 1010.410)
12 required MSBs, for transmittals of \$3,000 or more, to maintain and
13 retain records of the transaction accurately reflecting, among other
14 things, the names of the transmittor and the recipient.

15 7. Beginning on a date unknown and continuing up to on or about
16 August 5, 2008, within the Southern District of California and
17 elsewhere, defendant ABDIAZIZ HUSSEIN, aka "Abdiaziz Hussen,"
18 aka "Abdirizak," knowingly and intentionally conspired and agreed with
19 Basaaly Moalin, charged elsewhere, and other persons known and unknown
20 to the Grand Jury to commit the following offenses against the
21 United States:

- 22 (a) to cause Shidaal Express, a domestic financial institution,
23 to fail to maintain records required pursuant to
24 regulations prescribed under Section 21 of the Federal
25 Deposit Insurance Act and Public Law 91-508, Section 123,
26 in violation of Title 31, United States Code,
27 Section 5324(a)(1) and Title 31, Code of Federal
28 Regulations, Section 103.33 (now codified at Title 31, Code
of Federal Regulations, Section 1010.410);

1 (b) to cause Shidaal Express, a domestic financial institution,
2 to fail to file reports required under Title 31,
3 United States Code, Section 5318 and regulations prescribed
4 thereunder, in violation of Title 31, United States Code,
5 Sections 5318 and 5322, and Title 31, Code of Federal
6 Regulations, Section 103.20 (now codified at Title 31, Code
7 of Federal Regulations, Section 1022.320); and

8 (c) to structure and assist in structuring transactions with
9 Shidaal Express, a domestic financial institution, for the
10 purpose of evading the reporting requirements of Title 31,
11 United States Code, Sections 5313(a) and 5325 and
12 regulations prescribed thereunder, and the record keeping
13 requirements required pursuant to regulations prescribed
14 under Section 21 of the Federal Deposit Insurance Act and
15 Public Law 91-508, Section 123, in violation of Title 31,
16 United States Code, Section 5324(a)(3).

17 OVERT ACTS

18 8. In furtherance of said conspiracy and to effect and
19 accomplish the objects thereof, the following overt acts, among
20 others, were committed within the Southern District of California and
21 elsewhere on or about the dates set forth below:

22 a. On April 23, 2008, Basaaly Moalin, charged elsewhere,
23 and defendant HUSSEIN spoke about a \$2,000 transaction
24 "that was split" into two different transactions with
25 two different recipients;

26 b. On April 23, 2008, defendant HUSSEIN caused the
27 following transfers for Basaaly Moalin (charged
28 elsewhere):

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD0024658	4/23/2008	abdirizak said	6192781189	GURICEEL	\$1,000
LMD0024659	4/23/2008	bazal macalin	6192835615	GURICEEL	\$1,000

c. On April 25, 2008, Moalin and defendant HUSSEIN spoke about sending \$3,000 in "two installments" and using two different recipient names for the transactions;

d. On April 23 and 25, 2008, defendant HUSSEIN caused the following transfers for Moalin:

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD0024652	4/23/2008	abdiwali ahmed	6198534875	DHUUSAMAREEB	\$1,900
LMD0024776	4/25/2008	Zahra warsame	6192845674	DHUUSAMAREEB	\$1,100

e. On May 29, 2008, Moalin and defendant HUSSEIN spoke about \$7,000 that had been transferred to an individual (I-1);

f. On May 29, 2008, Moalin told I-1 "the money cannot be sent in one sum" and instead would be "put . . . through separately;"

g. Between May 15, 2008 and May 29, 2008, defendant HUSSEIN caused the following transfers for Moalin:

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD0026826	5/15/2008	said basaal	6195638545	MUQDISHO_BU LAXUBEY	\$1,900
LMD0027582	5/27/2008	Zahra Hasan yusuf	8583457855	MUQDISHO_BA KAARAHQA_HQ	\$1,800

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD0027907	5/27/2008	zeynab warsame	6192018256	MUQDISHO_BA KAARAHQA_HQ	\$1,900
LMD0027722	5/29/2008	bashiir ahmed yusuf	6192834516	MUQDISHO_BA KAARAHQA_HQ	\$1,400

h. On May 29, 2008, defendant HUSSEIN requested another name to use in transmitting \$7,700 for Moalin;

i. Between May 31, 2008 and June 1, 2008, defendant HUSSEIN caused the following transfers for Moalin:

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD0027904	5/31/2008	haliima camey	6193468253	BOSASO	\$1,900
LMD0027906	5/31/2008	shukri Haji adhmed	61951628446	BOSASO	\$1,800
LMD0027907	5/31/2008	Zahra Mohamed	6195648270	BOSASO	\$1,700
LMD0028020	6/1/2008	zuhuur Mohamed ali	6194597250	BOSASO	\$1,300
LMD0028024	6/1/2008	dahir ahmed	6195286163	BOSASO	\$1,000

j. Between June 4 and June 5, 2008, defendant HUSSEIN caused the following transfers for Moalin:

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD0028520	6/4/2008	bushra Haji yusuf	6192435612	MUQDISHO_BA KAARAHQA_HQ	\$1,700
LMD0028654	6/5/2008	halima hassen	6193214564	MUQDISHO_BA KAARAHQA_HQ	\$300

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k. On July 26, 2008, Moalin spoke to an individual (I-2) who said he had not received the full balance, and had received "1,030.00 and 1,250.00; it is 2,280.00 plus 1860.00;"

l. On August 2, 2008, Moalin and defendant HUSSEIN discussed the remaining \$860 to be sent to I-2;

m. Between July 15, 2008 and August 5, 2008, defendant HUSSEIN caused the following transfers to Moalin:

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD00032032	7/15/2008	Dukan Hersi	6193194578	GURICEEL	\$1,250
LMD00032081	7/15/2008	Hersi Dunkal	6195493197	GURICEEL	\$1,030
LMD00032485	7/23/2008	Isse Guled	6193458765	GURICEEL	\$1,860
LMD00033567	8/5/2008	hafsa mohamed	6194658968	GURICEEL	\$860

n. On August 2, 2008, Moalin and defendant HUSSEIN discussed the remaining \$350 that needed to be sent to an individual (I-3);

o. On July 23, 2008 and August 5, 2008, defendant HUSSEIN caused the following transfers for Moalin:

Transaction Number	Date In	Sender	Sender Phone	Receiver City	Amount
LMD00032487	7/23/2008	Kulan Muhumed	6192781189	DHUUSAMAREEB	\$1,650
LMD00033619	8/5/2008	Hashi mohamed	6194648250	DHUUSAMAREEB	\$350

All in violation of Title 18, United States Code, Section 371.

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Counts 2-4

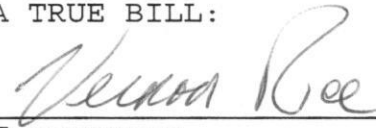
On or about the dates below, within the Southern District of California, defendant ABDIAZIZ HUSSEIN, aka "Abdiaziz Hussen," aka "Abdirizak," knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Sections 5313(a) and 5325 and regulations prescribed thereunder, and the recordkeeping requirements imposed by regulations prescribed under section 21 of the Federal Deposit Insurance Act and Public Law 91-508, section 123, did structure and assist in structuring the transactions below with Shidaal Express, a domestic financial institution:

<u>Count</u>	<u>Date</u>	<u>Description</u>
2	April 23-25, 2008	Structured \$3,000 into separate transmittals of \$1,900 and \$1,100
3	May 15-29, 2008	Structured \$7,000 into separate transmittals of \$1,900, \$1,800, \$1,900 and \$1,400
4	May 31 to June 1, 2008	Structured \$7,700 into separate transmittals of \$1,900, \$1,800, \$1,700, \$1,300 and \$1,000


All in violation of Title 31, United States Code, Section 5324(a)(3), and Title 31, Code of Federal Regulations, Section 103.33 (now codified at Title 31, Code of Federal Regulations, Section 1010.410).

DATED: April 23, 2013.

A TRUE BILL:


Foreperson

LAURA E. DUFFY
United States Attorney

By: 
CAROLINE P. HAN
Assistant U.S. Attorney